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FEB 12 2004
PATENT & TRADEMARK OFFICE

2837

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Application No.: 10/057,187) Date: February 4, 2004
)
Applicant: Shoichi Toyoda) Examiner Kimberly R. Lockett
) Group Art Unit 2837
Filed: January 23, 2002)
) Our Ref: 619463-7/RPB:TGC
For: "Butterfly Damper") B-4466

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Terminal Disclaimer (37 CFR 1.321 (b))

Petitioners, Pioneer Corporation and Tohoku Pioneer Corporation, are the only owners of interest in the instant application. Petitioners hereby disclaim, except as provided below, the terminal part of that statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of copending application no. 10/057,186 (if issued as a patent). Petitioners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the copending application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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The undersigned, who is an attorney of record, is permitted (and empowered) to act on behalf of the Petitioners.

February 4, 2004

Date

Signature

Troy G. Cai

__x__ Terminal disclaimer fee of $110 as specified in 37 CFR 1.20(d) is included.